

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CHRISTOPHER KOCHAN,

Plaintiff,
v.

ORDER

1:19-cv-00251 EAW

CORI KOWALSKI, *Town of Ellicottville Police Officer*, and DEPUTY WILLIAM J. HUNT, *County of Cattaraugus Sheriff*,

Defendants.

On February 1, 2023, the Court entered a Pretrial Order scheduling the trial of this matter to commence on November 13, 2023. (Dkt. 102). The Pretrial Order set deadlines for various pretrial filings. (*Id.*). The Court further scheduled a final pretrial conference for October 23, 2023, at 2:00 p.m. (*Id.* at 1). *Pro se* plaintiff Christopher Kochan (“Plaintiff”) was advised that he “must be present at the pretrial conference.” (*Id.* at 1-2).

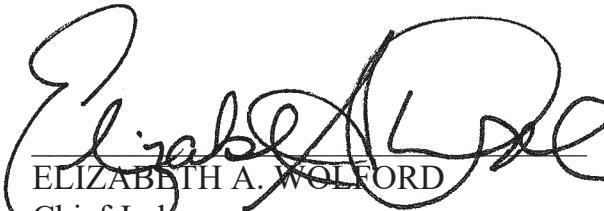
Plaintiff did not make any pretrial filings as set forth in the Pretrial Order, despite having been granted permission to file documents electronically. (*See* Dkt. 103). He further did not appear at the pretrial conference on October 23, 2023.

After the pretrial conference on October 23, 2023, the Court received in the mail (postmarked October 20, 2023) a request from Plaintiff for dismissal of the action pursuant to Federal Rule of Civil Procedure 41(a)(2). (Dkt. 114).

It is accordingly hereby ORDERED that unless the Court receives an objection from any party by the close of business on Wednesday, October 25, 2023, it will issue an order dismissing this case with prejudice.

It is further ORDERED that in the event any party files such an objection, the parties must appear in person at the United States District Court, 100 State Street, Rochester, New York 14614, on Friday, October 27, 2023, at 2:30 p.m. In the event such an appearance is required, Plaintiff must be prepared to show cause why this matter should not be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

SO ORDERED.



ELIZABETH A. WOLFORD
Chief Judge
United States District Court

Dated: October 23, 2023
Rochester, New York